

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Joe G. Lopez, Senior Deputy Clerk.

**F040799      People v. Esparza**

Cause called and argued by Jerome P. Wallingford, Esq., counsel for appellant. Kelly C. Fincher, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

**F042008      Binion v. Storer Transportation Company et al.**

Cause called and argued by Panos Lagos, Esq., counsel for appellant and by Kara A. Pape, Esq., counsel for respondent Storer Transportation Company. George Munden, respondent in propria persona waived oral argument. Mary Munden, respondent in propria persona waived oral argument.

Cause ordered submitted.

**F041262      People v. Martinez et al.**

Cause called and argued by Valerie Hriciga, Esq., counsel for appellant Alfredo Martinez. Eric Weaver, Esq., counsel for appellant Ray Martinez waived oral argument. William K. Kim, Esq., Deputy Attorney General, counsel for respondent, having heretofore waived oral argument, is permitted to argued.

Cause ordered submitted.

Court recessed until Wednesday, February 11, 2004 at 11:00 A.M.

**F044562      Sheila E. v. The Superior Court of Merced Co.; Merced Co. Dept. of Human Services**

Pursuant to the terms of this court's order of January 27, 2004, and the failure of any party to request oral argument, the oral argument date of February 19, 2004, is vacated.

This matter is deemed submitted on the date of this order.

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**F043756      In re Angel A. et al., Minors**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F043756      In re Angel A. et al., Minors**

The order terminating parental rights is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F042333      People v. Muthana**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F041823      Taa v. Stinson-Parpia, Inc.**

The appeal is dismissed. Costs are awarded to respondent. Wiseman, J.

We concur: Buckley, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F040356      People v. Tillet**

Appellant's petition for rehearing filed herein is denied.

**F044225      In re Jacob T., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F044225      In re Jacob T., a Minor**

The order terminating parental rights is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044564      Arreola-Alfares v. Stueve et al.**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F041184      People v. Medina**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F041524      People v. Peden**

The judgment is affirmed. Harris, J.

We concur: Vartabedian, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041853      People v. Gomez**

The judgment is affirmed. Harris, J.

We concur: Vartabedian, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041995      People v. Padilla**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F041995      People v. Padilla**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F041455      People v. Hampton**  
The judgment is affirmed. Wiseman, J.  
We concur: Buckley, Acting P.J.; Levy, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F042157      People v. Diaz, Jr.**  
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F042157      People v. Diaz, Jr.**  
The judgment is affirmed with modifications.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F042540      In re Eulices C., a Minor**  
Counsel having failed to request oral argument in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

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**F042540      In re Eulices C., a Minor**

The court's true findings with respect to the section 186.22 allegations are reversed and the matter remanded to the trial court for a new disposition hearing. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F043506      People v. Johnson**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed pursuant to rule 30.3 of the California Rules of Court.

**F041764      People v. Palomino**

The judgment is affirmed. Dawson, J.

We concur: Dibiaso, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]